

Motion to compel granted 4/29/2020. The Court orders Respondents to provide list of potential subclass by April 30, 2020 at 8:00 AM EST .

s/ *James S. Gwin*

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

CRAIG WILSON, ERIC BELLAMY,
KENDAL NELSON, and MAXIMINO
NIEVES, on behalf of themselves and those
similarly situated,

Petitioners,

v.

MARK WILLIAMS, warden of Elkton
Federal Correctional Institutions; and
MICHAEL CARVAJAL, Federal Bureau of
Prisons Director, in their official capacities,

Respondents.

Case No. 20-cv-0794

Judge James Gwin

PETITIONERS' EMERGENCY MOTION TO COMPEL AND
MEMORANDUM IN SUPPORT

This Court has repeatedly instructed Respondents to identify potential members of the medically-vulnerable subclass—that is, prisoners at Elkton Federal Correctional Institution who, because of age or preexisting medical condition, are at a high risk of serious illness or death in the midst of the severe COVID-19 outbreak there. Though the Court set a deadline, the deadline passed, and no stay has issued, Respondents have not disclosed the list.

Time is of the essence. Petitioners, along with numerous potential subclass members, need to know immediately whether they are on the list, so that they may begin taking remedial steps if they are not. The process of identifying and releasing subclass members must proceed swiftly; if it does not, more lives will be lost. Petitioners respectfully move this Court to compel Respondents to disclose their list of subclass members as provided for in the Order.